

Congress of the United States
Washington, DC 20515

August 3, 2020

The Honorable Sonny Perdue
Secretary of Agriculture
U.S. Department of Agriculture
1400 Independence Avenue, SW
Washington, DC 20250

Dear Secretary Perdue,

We write to express our concerns regarding the Department of Agriculture's (USDA) implementation of the Coronavirus Food Assistance Program (CFAP); both the direct payments to farmers and ranchers as mandated by the Coronavirus Aid, Relief, and Economic Security (CARES) Act, as well as the Farmers to Families Food Box Program. It is imperative that these programs not only keep Americans fed during the current pandemic, but also serve as smart investments in sustainable agriculture systems and the food supply chain.

It has become abundantly clear that direct payments to producers have largely overlooked small farms, and those that are owned by beginning, veteran, minority, and socially disadvantaged farmers. The need amongst these stakeholders is significant. According to the USDA's most recent census, farms comprising less than nine acres and those owned by producers under 35 have risen by 22% and 11% respectively. As you know, farmers of color have long faced documented discrimination from USDA programs, and little has changed to slow the decline of the number of black farmers and their acreage from where they were a century ago. All of these farming operations are increasingly essential to the sourcing of local, sustainable food, but USDA has not adequately ensured their access to CFAP funds. For this reason, we request that USDA provide responses to the following:

1. Explain why the Department has not used its authority to establish specific set-asides from the CARES Act allocation for beginning, veteran, minority, and socially disadvantaged farmers, thereby ensuring their inclusion in this important program. If the Department is not considering such set-asides for future CFAP funding distribution, why not?
2. Provide details on why the Department evaluated CFAP eligibility and payment rates based upon nationwide price loss calculations for individual commodities. By doing so, we believe USDA failed to account for factors such as organic and local market premiums.
3. Provide details on the distribution of CFAP funds by size of farm and type of production (row crop, specialty crop, livestock, etc.).
4. Provide the model(s) and all formulas for calculating CFAP direct payments to any given producer.

Regarding the Farmers to Food Box program, this effort has been more successful in certain cities and regions than others. While we are happy to hear of success stories, there are also very apparent flaws and inconsistencies in the implementation of the program. Some applicants who were

selected to distribute large contracts of food have lacked experience working with food banks and wholesale food distribution, while other companies with strong connections to food supply chains in their region were inexplicably passed over. The program also failed to meet its goal to deliver 40 million food boxes by the end of June and, to date, USDA has not provided any clarity on which specific non-profits received food boxes in each state. Additionally, we've heard that many food banks with long-standing relationships with USDA's Food and Nutrition Service are unclear as to who to contact at the Department to share feedback or concerns about the program. For this reason, we request that USDA provide responses to the following:

5. Provide details on the methodology used to evaluate and award contracts to applicants of the program, and whether that methodology will be revised for future funding opportunities as the program continues for the remainder of the calendar year.
6. Explain how the Department and distributors are tracking which non-profits are receiving food boxes and provide a list of all non-profits that have received food boxes in each state to date with information about how many boxes each nonprofit receives per week.
7. Explain how the Department is ensuring all participating non-profits have adequate storage and distribution capacity to accept food boxes from local distributors.
8. Describe the rationale used to determine regional food distribution.
9. Outline the ways in which the Department is ensuring only legitimate and experienced non-profits participate in the program.
10. Describe the mechanisms the Department has put in place to receive feedback from, and address the concerns of, food banks and other non-profits, including any "last mile" issues they may encounter in obtaining these food boxes from distributors or food banks and others acting as sub-distributors.
11. In the bid solicitation, USDA asked distributors to "describe how they intend to engage small farmers," such as farms supplying local and regional markets. How did USDA evaluate responses to this question in the bid selection process?
12. How is USDA monitoring and evaluating how contractors are implementing their plans to engage small and local farmers?
13. Why did USDA choose not to collect data on whether small, beginning, veteran, minority, or socially disadvantaged producers have been able to serve as suppliers for the food box program? Will you commit to collecting this data in the next round of contracts?
14. Explain how USDA is planning to continue to work with producers with a state food safety certification, as they have in previous contract rounds, to ensure thousands of farmers across the country remain eligible to participate in the program.
15. The new request for proposals (RFP) for this program addresses local or small farm sourcing only in reference to fruits and vegetables; please describe why there is no similar focus on sourcing from such growers for the other food items required (eggs, meat, dairy).
16. The new RFP for this program has increased the required size of each box; please describe how this change in size was informed by the experiences of food banks and other nonprofits with experience in household food distribution, and how these larger boxes may affect transportation and storage costs.

In addition, please provide the executed apportionment for USDA's COVID-19 response. Sharing this information will help provide clarity on the amount of funding the Department has allocated to assist farmers, producers, distributors, and other agriculture and nutrition stakeholders during the pandemic. This includes emergency relief activities supported by funds made available under section 32; the Commodity Credit Corporation; the Families First Coronavirus Response Act; the Coronavirus, Aid, Relief and Economic Security (CARES) Act and other sources.

Through all the challenges COVID-19 has presented to our food systems, we remain confident that well-planned and executed programs can strengthen America's farmers, ranchers, producers, and suppliers for the long-term while feeding those who are hungry during the pandemic. We appreciate your immediate attention to this matter and look forward to your prompt reply to this letter.

Sincerely,



Ann McLane Kuster
Member of Congress

Marcia Fudge
Member of Congress

Cheri Bustos
Member of Congress

Chellie Pingree
Member of Congress

Marcy Kaptur
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